



WNC Nature Center Restroom & Picnic Shelter

Request for Qualifications for Design-Build Services

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Qualifications Due: July 16, 2014 by 3:00 PM

TABLE OF CONTENTS

Section 1. Introduction

1.1. Purpose of Procurement -----	Page 3
1.2. Purpose of the RFQ -----	Page 3
1.3. Project Delivery and Objectives -----	Page 4
1.4. RFQ -----	Page 5
1.5. Project Assumptions -----	Page 5
1.6. Definition of Terms -----	Page 6

Section 2. General Instructions

2.1. Building Program and Schematic Plans -----	Page 9
2.2. Selection Process for RFQ -----	Page 9
2.3. Pre-submittal Conference -----	Page 9
2.4. Schedule of Events -----	Page 10

Section 3. RFQ Submittal—Qualifications Submission Format and Requirements

3.1. Physical Submittal -----	Page 11
3.2. Written Submittal Evaluation -----	Page 12
3.3. Submittal Contents -----	Page 13
3.4. Additional Conditions -----	Page 18

Attachments:

Attachment A – “Building Program Information”

Attachment B – “Schematic Site Plan”

Attachment C – “Schematic Floor Plan”

Attachment D – “MB Documentation”

Additional Attachments:

Vicinity Map

Location Map

Nature Center Map

Request for Qualifications (RFQ)

The City of Asheville, North Carolina (Owner)

Written Submittals of Qualifications to provide Design-Build Services for the construction of —

WNC Nature Center – Restroom and Picnic Shelter 75 Gashes Creek Road, Asheville, NC 28805

1. Introduction

1.1. Purpose of Procurement

1.1.1. Pursuant to N.C. Stat. Sec. G.S. 143-128.1A, The City of Asheville, North Carolina, hereinafter referred to as “Owner” or “City,” will undertake the design and construction of the WNC Nature Center Restroom & Picnic Shelter Project. The restroom and picnic shelter will be located within the WNC Nature Center and adjacent to the existing playground area known as Arachnid Adventure, and will consist of a new restroom building as well as a freestanding picnic shelter. The addition of these facilities will improve the functionality and aesthetics throughout the facility. The Owner is preceding this project with a qualification process (this RFQ) to determine and approve interested and competent Design-Build teams, hereinafter referred to as “Design-Builder(s).”

1.2. Purpose of the RFQ

1.2.1 Selection of the Design-Builders will be by Qualifications-Based Selection (QBS) beginning with the review of this RFQ submittal. Factors and/or criteria to be used in the evaluation of this RFQ are listed and described in this document. The Owner will adhere to the weightings specified for each evaluation factor stated. These selections are made **solely as judged by the Owner**.

1.2.2 In selecting a firm, the Owner will emphasize the experience of the firm and of assigned personnel in providing like functions on projects of similar magnitude and complexity as the proposed project. Selection preference will be toward firms that have depths of knowledge and resources for this type facility design, general contracting, scheduling, contract coordination and compliance, budget control, and design experience in this building type, as well as familiarity with laws, ordinances, and codes applicable to this project.

1.2.3 The window of construction opportunity requires the Owner to make, as an important selection criterion, the ability of firms to place quality personnel on this job ready to work within an effective timeframe.

1.2.4 Minority Business Plan

The City of Asheville has adopted a Minority Business (MB) Plan to encourage participation by minority businesses in the award of contracts. Bidders are hereby notified that

this bid is subject to the provisions of that Plan. It is the policy of the City to (1) provide minorities an equal opportunity to participate in all aspects of its contracting and procurement programs and (2) prohibit any and all discrimination against persons or businesses in pursuit of these opportunities. **Please direct all questions about the Minority Business Plan to Brenda Mills, Office of Economic Development, City of Asheville, P.O. Box 7148, Asheville, NC 28802, (828) 259-8050 or bmills@ashevilenc.gov.** Minority business outreach resource on this project can be accessed via www.doa.state.nc.us/hub. At a minimum, the Bidder shall either establish or certify that they will do the work for this contract with its own forces (no subcontracting), or the Bidder shall make a good faith effort to recruit and select minority owned businesses among the bidder's subcontractors. *****Failure to provide MB documentation with the bid per MB Plan instructions may result in rejection of the bid as not responsive and award to the next lowest responsible bidder.***** **SEE ATTACHMENT D FOR APPLICABLE FORMS**

The Design-Build team will be required to implement this MB policy on behalf of the owner for all phases of the construction project. Each submitter should provide a strategy for meeting the City's goals and describe their prior experience in this area. *A formal strategy—subject to review--should be submitted after award.*

1.2.5 It is the responsibility of each submitter to examine the entire RFQ, seek clarifications in writing, and review their submittal for accuracy before submitting their qualifications. Once submission deadlines have passed, all submissions will be final. The Owner will not request clarification from any individual submitter relative to their submission, but reserves the right to ask for additional information from all parties that have submitted qualifications. If there are multiple firms proposed as one team, each firm must describe itself according in the RFQ submittal. **Indicate on the first page of the submittal which firm/company is the lead Design-Builder. Indicate, by firm, those qualifying as a minority firm.**

1.2.6 It is the sincere intention of the Owner to make every effort to be fair and equitable in its dealings with all candidates for selection. If, however, the City should determine that none of the Design-Build teams submitting are advantageous to the City of Asheville, **the City shall have the absolute right to reject any and all submittals.**

1.3. Project Delivery and Objectives

1.3.1 The delivery method for this project will be **Design-Build**. There will ultimately be a single contract from the Owner with a lead Design-Builder who will be expected to fulfill the terms of the contract through delivery of a finished, fully usable facility, on a turnkey basis, that satisfies the Owner's project requirements. The Owner chose the Design-Build delivery method specifically to give them a single point of responsibility on the part of the Design-Builder for every design service and construction need. Moreover, the Design-Build delivery method is expected to allow concurrent design and construction activities. The Design-Builder, as the sole responsible source for total project compliance and construction related performance (including architectural programming, design, and construction services) shall act in the best interests of

the Owner. At all times and project stages, the Design-Builder shall use their best efforts to perform the project in an expeditious and cost-effective manner consistent with the Owner's project requirements, time constraints, and budget. The lead Design-Builder shall hold all design professionals, testing services, trade contractors, and trade supplier contracts. The Design-Builder shall develop an overall project schedule, which will be a contractual obligation. In addition, the lead Design-Builder will be responsible for methods of construction and safety, as well as for the scheduling and coordination of the work of all construction and miscellaneous contracts required for completion of the project within its predetermined budget limits and schedule.

1.3.2 The total project budget for the WNC Nature Center Restroom & Picnic Shelter Project is anticipated to be approximately **\$100,000** for the entire project, turnkey, including all costs and fees. All costs include construction related expenses; architectural programming, design, and construction related services; testing services; public jurisdiction fees and charges; permits; and other building related professional service fees necessary to fully build the Owner's project.

1.3.3 The construction for the Owner's project shall be developed having a substantial completion date of **April 2015.**

1.4. RFQ

1.4.1. The RFQ selection process will produce a preliminary ranking list for Design-Build candidates. The city reserves the right to ask the highest ranking teams to interview with an official Selection Committee consisting of various City and WNC Nature Center operations personnel. The City may then create a final ranking of Design-Builders based upon the interview results, in conjunction with their previously submitted written responses.

1.4.2. No formal design competition will be included.

1.4.3. Once the single Design-Builder is determined, they will be responsible for pricing and value-engineering issues. Prior to contracting, the Owner will ask the Design-Builder to commit to a Lump Sum price for all its design and construction services.

1.4.4. Owner / Design-Builder Contract will be lump sum contract utilizing the City of Asheville standard contract for "building and construction and repair contracts". Thirty percent of any savings, excluding unused contingency (which returns to the Owner at 100%), will be returned to the Design-Builder. The remaining 70% will be returned to the Owner.

1.5. Project Assumptions

1.5.1. The Owner does not desire to enter into "joint-venture" agreements with multiple firms. At the same time, the Owner recognizes that the Design-Build delivery method often involves partnerships between or among firms to combine design and construction management capabilities. In the event that two or more firms desire to establish a joint venture, it is expected that one firm shall become the lead Design-Build firm for the purpose of contract execution,

with the remaining firms being consultants to them. The City shall contract with the lead Design-Build firm only.

1.5.2. The Owner expects all parties to this project to work closely together and deal appropriately with project conditions to finish the job successfully. **A spirit of cooperation and collaboration among professional construction services providers is of utmost importance.**

1.5.3. The Design-Builder will employ the Architect of Record (AOR) and/or Engineer of Record (EOR). These professionals must personally ensure the integrity of all extensions of the design and ensure that all equipment and material meet the design criteria requirements. Insuring compliance with this condition shall be the lead Design-Builder's function, not an owner function.

1.5.4. The Design-Builder, as a part of its design and its preconstruction services, will assist with developing a strategy for the best approach for the successful completion of the project. For example without limitation, the Design-Builder will provide guidance and assistance in the preparation of a schedule and a reliable, preliminary cost estimate.

1.6. Definitions of Terms

1.6.1. Whenever the term "RFQ," is used, the reference is to this Request for Qualifications or portions thereof, together with any exhibits, attachments, or addenda it may contain.

1.6.2. Whenever the terms "shall," "will," "must," or "is required" are used in the RFQ, the referenced task is a mandatory requirement of this RFQ. Failure to meet any mandatory requirement will be cause for rejection of a submittal.

1.6.3. Whenever the terms "can," "may," or "should" are used in the RFQ, the referenced specification is discretionary. Therefore, though the failure to provide any items so termed will not be cause for rejection, the Selection Committee may consider such failure in evaluating the quality of the submittal.

1.6.4. Whenever the terms "apparent successful" or "top-ranked" or "highest ranking" firm or offerer are used in this document, the reference is to the firm that the Selection Committee ultimately judges to have submitted the case best satisfying the needs of the Owner in accordance with the RFQ. The selection of an apparent successful firm does not necessarily mean the Selection Committee accepts all aspects of the firm's submittal or proposal.

1.6.5. Whenever the term "submittal" is used in the RFQ, the reference is to the response offered by a firm in accordance with the RFQ. The submittal responds only to the RFQ.

1.6.6. Whenever the term "Selection Committee" or "Review Committee" is used in the RFQ, the reference is to the Owner's representatives responsible for administering and conducting the evaluation and selection process of the RFQ.

1.6.7. “Design-Build” refers to the construction project delivery method in which, among other things, the Owner holds a single contract with a business entity that has responsibility both to design and to construct a project, and that holds the trade contracts.

1.6.8. “Lead Design-Builder” refers to the design-build team member that will contract with the Owner for all work and holds all responsibility of project success, performance, and completion.

1.6.9. “Design Professional”(an inclusive term for all licensed building professionals), “Architect of Record,” an/or “Engineer of Record” all refer to the project's architect(s) and/or engineer(s), whose responsibilities generally include programming, design, code compliance, and detailing of the facility. Under the Design-Build delivery methodology, the Design Professional is an integral part of the Design-Builder entity under single contract with the Owner. These entities also operate under legal definitions of the State of North Carolina with statutory liability and responsibility.

1.6.10. “Building Commissioning” refers to a formal and systematic process of documentation, adjustment, testing, verification, and training, focused on quality assurance and performed specifically to ensure that the finished facility operates in accordance with the Owner’s documented project requirements and the construction documents.

1.6.11. “Commissioning Provider” refers to the entity or person providing building commissioning services for a project.

1.6.12. “Owner’s Project Requirements” is a written document that details the functional requirements of a project and the expectations of how it will be used and operated.

1.6.13. “Qualifications Submittal” and “Initial Written Submittal” both refer to a firm’s response to the RFQ.

1.6.14. “Qualifications-Based Selection” and “QBS” both refer to a procurement process for the selection of professional construction services for public projects. It is a competitive contract procurement process whereby consulting firms submit qualifications to a procuring entity (Owner) who evaluates and selects the most qualified firm, and then negotiates the project scope of work, schedule, budget, and price.

1.6.15. “Firm” shall be interpreted as referencing the design entity, the construction entity, or the combined (e.g., joint venture) entity, as is reasonable.

1.6.16. “Fixed Fee” shall be proposed by the Design Builder and shall be defined as a specific dollar amount (stated as a lump sum) and agreed upon by all parties at the time of Contract Negotiation. This fee shall not be a percentage of the cost of the work.

2. General Instructions

2.1. Building Program and Schematic Plans

2.1.1. General: The project will be designed and constructed to a level of quality that reflects the current design features as stated in this RFQ. The project will include but not limited to: a new restroom building (+/-500 SF) with covered entries, new picnic shelter, new fencing, walkways, and landscape improvements. Construction shall be coordinated with the WNC Nature Center schedule of operations/events and may require night/weekend work to complete.

2.1.2. Schematic Plans: The Owner's present schematic building plan and site plan are attached to this RFQ (**Appendix B and C**) as information to help with understanding building requirements of this Design-Build project.

2.2. Selection Process for the RFQ

2.2.1. Request for Qualifications: This document is a Request for Qualifications (RFQ). All interested Design-Build parties shall respond to this document in the appropriate format and required quantity.

2.2.2. Qualification Review Committee: The review of RFQ submittals will be by a Review Committee comprising representatives of the Owner. Questions should be submitted **in writing** via email to the City Landscape Architect, as identified below.

Pete Wall, RLA

pwall@ashevillenc.gov

2.2.3. Design-Build Qualifying Process for the RFQ

Written Submittal (RFQ Submittal): The Review Committee will receive and review statements of qualifications and performance data in response to this RFQ. The Review Committee will evaluate all firms first against a set of criteria, provided in **Section 3** below, to determine those firms most qualified and suited for this particular project. Qualifications will create a list of three Design-Build teams who may be interviewed by the City. After the completion of interviews (if required), a Design-Build team will be selected and negotiations of fees will begin. If the selected Design-Build team and the City do not come to an agreement, the City reserves the right to enter negotiations with the next highest ranking Design-Build team.

2.3. Pre-submittal Conference:

There will be a pre-submittal conference for all interested Design-Build parties to take place at the time and place listed on the Schedule of Events (Section 2.5).

2.4. Schedule of Events: The following Schedule of Events represents the Owner's best estimate of the schedule that will be followed. The Owner reserves the right, at its sole discretion, to adjust this schedule as it deems necessary. Notification of any adjustment to the Schedule of Events shall be provided to all who have requested this RFQ.

Tentative Schedule of Events:	Date	Time
Advertisement on IPS/City of Asheville Purchasing website	6/25/14	
Owner conducts a mandatory pre-submittal conference for all interested firms. Meeting to be held at the WNC Nature Center. See map at end of RFQ	7/2/14	11:00 pm
Deadline for written questions and clarification on Request for Qualifications	7/11/14	3:00 pm
Deadline for submission of Qualifications	7/16/14	3:00 pm
Owner completes qualification evaluation to establish a shortlist of firms remaining in the competition. Owner notifies short-listed firms and schedules interviews (if required)	8/6/14	
Complete interviews of short-listed firms (if required)	8/13/14	
Notify selected Design-Build firm, begin contract negotiations	8/15/14	
Complete contract negotiations with selected firm	8/25/14	
City council award of contract	9/8/14	5:00 pm

3. RFQ Submittal – Qualifications Submission Format and Requirements

3.1. Physical Submittal

One (1) original and five (5) copies of the information shall be submitted. Each submittal shall be identical in content. Submitters shall follow in their responses the sequence of the Initial Written Submittal outlined here. Responses should be concise, clear, and relevant. Submitter's cost incurred in responding to this RFQ is the submitter's alone and the Owner does not accept liability for any such costs. The Owner will not and shall not be required to return any item submitted.

3.1.1. The pages of the qualification submittals must be numbered consecutively. A table of contents, with corresponding tabs/dividers in the body of the submittal, must be included as well to identify each section. Placing multiple tabs on a single page is perfectly acceptable. If more than one item in the table of contents can be started on the same page, you may do so and place all corresponding tabs on that page. Any affidavits, certifications, or signed statements called for are to be included in an appendix. Please do not place or ask to place in the appendix any additional information not explicitly required to be placed there. Submittals are not limited in page quantity (The Owner intends to limit the cost that submitters incur to respond to this solicitation. Therefore, submitters are encouraged to be brief and succinct. Thick volumes of background and general marketing material are not desired. A firm should highlight instead its responsiveness to the evaluation criteria. If there are multiple firms proposed as one team, each component firm should describe its own relevant qualifications within the same submittal.)

3.1.2. Submittals of qualifications will be accepted until time and date shown in the Schedule of Events (Section 2.4). **This is a firm deadline.** The Owner is not responsible for the proper or timely delivery of submittals. Failure to meet the deadline for receipt of submittals will result in rejection of the submittal. Submittals received after the deadline will not be considered whether delayed in transit or for any other cause whatsoever. Each firm is solely responsible for the accuracy and completeness of its submittal. Errors and omissions may constitute grounds for rejection.

3.1.3. Firms should deliver their submittals. The name and address of the firm should appear on the outside of the submittals, and the package should reference the project; i.e., “**RFQ for Design-Build Services, WNC Nature Center Restroom & Picnic Shelter**”

3.1.4. Submit qualifications document to the following **STREET** address:

City of Asheville – Parks & Recreation Department
70 Court Plaza, 4th Floor
Asheville NC, 28801
Attn: Pete Wall

3.1.5. Except for submission of questions, discussed further below, proposers shall not contact any members or employees of the City of Asheville regarding any aspect of this procurement until after the award of the contract. Contact with these persons could be grounds for elimination from the competition. Questions may be asked at the pre-submittal conference. Questions not asked at the pre-submittal conference must be submitted in writing via email to:

Pete Wall

pwall@ashevillenc.gov

3.1.6. All follow-up questions from the pre-submittal conference, as well as any questions that have been submitted in writing before the deadline, will be compiled and answered in writing. The deadline for submission of questions relating to the RFQ is the time and date shown in the Schedule of Events (Section 2.4). Answers will be distributed simultaneously by email to the contact person in the firms that attended the pre-submittal conference and to the firms that have made their interest in the project known.

3.2. Written Submittal Evaluation

Evaluative Criteria – The Review Committee will evaluate the submittals uniformly based upon the criteria listed in the table below. The Owner has listed each major category of criteria in order of importance. The services being sought under this RFQ are considered professional in nature. Consequently, the evaluation of submittals will be based upon consideration of the demonstrated qualifications and capabilities of the offerers.

MAJOR CATEGORY	CRITERIA SUMMARIES
Design-Build Team: 30 points Evaluation of lead Design-Builder and Design-Builder's General Contractor/Builder (if different)	<ul style="list-style-type: none"> • GC experience with Design-Build Process. • GC experience with similar project types. • GC experience renovating facilities while operational. • GC experience with additions adjacent to operating businesses. • GC offering Project Managers and Superintendents experienced on similar project types. • GC track record of "on-time and on-budget" projects. • GC litigation, legal action and safety records. • GC reputation, references and referrals.
Design-Build Team: 25 points Evaluation of Design Professionals	<ul style="list-style-type: none"> • Arch/Eng experience with Design-Build process. • Arch/Eng experience with the Team's GC. • Arch/Eng experience with similar projects. • Arch/Eng firm's litigation and/or arbitration records. • Arch/Eng firm's reputation, references and referrals.

Project Schedule: 10 points Evaluation of Design-Build Team's	<ul style="list-style-type: none"> • Team's ability to provide a proposed milestone schedule that illustrates the total project time (in weeks) to complete the project. •
Statement of WHY: 10 points Evaluation of Design-Build Team's	<ul style="list-style-type: none"> • Statement of Why Team should be selected. • Any unique qualifications relating to this project. • Design-build team professional capacity (Section 3.3.15)
Responsiveness to RFQ: 5 points Evaluation of Design-Build Team's	<ul style="list-style-type: none"> • Extent to which RFQ instructions were followed. • Accuracy in reflecting the RFQ requirements.

3.3 Submittal Contents

The qualification submittal must contain the following information in the following order:

Statement of Interest.

3.3.1. Firm(s) description.

3.3.2. Provide a list of the licensed contractors, licensed subcontractors, and licensed design professionals whom the Design-Build Team proposes to use for the project's design and construction.

3.3.3. Basic company information of all participating companies/firms:

a. Company/Firm name;

b. Physical address;

c. Mailing address & zip code;

d. Email address & name of primary contact at each company/firm;

e. Main telephone number and direct telephone number for contacts;

f. Number of years in business for each company/firm.

3.3.4. Form of firm ownership, including state of residency or incorporation: Is the offerer a sole proprietorship, partnership, corporation, Limited Liability Company (LLC), joint venture, or other structure?

3.3.5. Succinctly describe the history and growth of your firm(s) and any past or current experience with the Design-Build team being purposed (if any).

3.3.6. Regarding litigation with owners, subcontractors, and other construction-related entities, list any active or pending litigation and explain. List, and briefly describe any and all legal actions for the past three years in which respondent has been a debtor in bankruptcy, a defendant in a lawsuit for deficient performance under a contract or agreement; a respondent in an administrative action for deficient performance, or a defendant in a criminal action.

Failure to fully comply with this item will be grounds for elimination from the competition.

3.3.8. Has the firm ever failed to complete any work awarded to it or has it been removed from any project awarded to the firm? Explain.

3.3.9. Give three (3) references to which your Design-Build team has provided professional services of a nature and quality similar to those required herein. This reference information should include a short paragraph describing the service(s) provided, together with the following:

- a. The name of the organization to which the services were provided
- b. Project location
- c. Dates during which services were performed
- d. Thorough description of project/Images
- e. Cost description (this description, at a minimum, must include: Original project budget; Final project cost; and why there exists a difference in the original and final costs, if any).
- f. A current contact name, together with organizational title, at the firm
- g. The contact's current address and telephone number. **Obsolete contact information will be grounds for elimination from the competition.**

3.3.10. List five (5) major trade contractor references. Include company name, contact name, and telephone number.

3.3.11. Office Submitting Qualifications:

If the firm has multiple offices, the qualification statement should include information about the parent company and branch office separately. Identify the office from which the project will be managed and that office's proximity to the project site. Parent company (or general office) financial information as totals will be acceptable IF "parent" (or "general office") means that it is financially responsible for the liabilities of the branch office. If the parent company is not so responsible, meaning that its financial resources are not available to the office that will perform the contract, it will be misleading to the Owner to offer the financials of any office other than the one with the prospect of a contract with the Owner.

3.3.12. Relevant Project Experience of the DESIGNER:

Relevant project experience refers especially to buildings comparable to this project in relevant ways. The most relevant experience will be on other Design-Build projects as designer. **If the designer claims experience acquired by hiring of or participation by personnel who were/are members of another firm(s) at the time of the experience, please express that fact and disclose the name of the other firm(s).** Describe no fewer than three projects in order of most relevant to least relevant that demonstrate the firm's capabilities to provide design services on the project at hand. For each project, the following information should be provided:

- a. Project name
- b. Project location
- c. Dates during which services were performed
- d. Physical description (e.g., square footage, number of stories, site area)
- e. Cost description (this description, at a minimum, must include: Original project budget; Final project cost; and why there exists a difference in the original and final costs, if any).
- f. Brief description of project
- g. Services performed as Designer
- h. Statement of performance versus owner expectations in the areas of cost, quality, and schedule
- i. Owner reference

3.3.13. Relevant Project Experience of the BUILDER:

Relevant project experience includes similar building type and delivery method relevant to the type of project to be constructed using the Design-Build delivery method or performing as a general contractor on comparable types and sizes of projects. If the builder claims experience acquired by hiring of or participation by personnel who were members of another firm(s) at the time of the experience, please express that fact and disclose the name of the other firm(s). Describe no fewer than three projects in order of most relevant to least relevant that demonstrate the firm's capabilities to perform the project at hand. For each project, the following information should be provided:

- a. Project name
- b. Project location
- c. Dates during which services were performed

- d. Physical description (e.g., square footage, number of stories, site area)
- e. Thorough description of project/images
- f. Cost description (this description, at a minimum, must include: Original project budget; Final project cost; and why there exists a difference in the original and final costs, if any).
- g. Services performed as Builder
- h. Statement of performance versus owner expectations in the areas of cost, quality, and schedule
- i. Owner reference

3.3.14. Minority Business (MB): Indicate whether offerer is a Minority Business Enterprise and any MB firms on the Design-Build Team. Complete MB forms in Attachment D (this may be part of the appendix) **OR** Outline design-build team strategy to meet City's MB goals for construction as outlined in Section 1.2.4

3.3.15. Statement of "why" the Proposing Firm Should Be Selected: This section provides each firm the opportunity to provide specific information that differentiates them from others in the competition.

Including: Personnel Capability - Provide general information about the firm's personnel resources, including classifications and numbers of employees and the locations and staffing of relevant offices. Provide list of qualified and available personnel resources, identifying experience and ability for key personnel. The key personnel, at a minimum, are the proposed Designer(s) of Record, supporting project architects and engineers, project superintendent, Design-Builder's project manager, project director, estimator, preconstruction manager, and the executive in charge. At this stage, firms may list more than one person qualified and available for the proposed project.

3.3.16. Minimum Criteria

Firms must meet the criteria in the bullet points immediately below. Firms that do not meet these criteria are automatically disqualified. All documentation required to prove the firm meets the minimum criteria stated below should be included in the appendix of the firm's submittal.

- Firm's "Designer(s) of Record" **MUST** have a current North Carolina Architectural and/or Engineering license(s) as appropriate for their portion of the design work. **A copy of the license(s) is to be included in the appendix.**

- Firm's "Builder" MUST have a current North Carolina Contractor's license with an unlimited building classification. **A copy of the license is to be included in the appendix.**
- Lead Design-Build firm MUST agree to keep and maintain for the duration of this Agreement including but not limited to commercial general liability, automobile liability, workers' compensation, employer's liability, and umbrella coverage with at least the minimum limits shown below. The Contractor shall furnish the City with certificates of insurance for each type of insurance described herein, with the City listed as Certificate Holder and as an additional insured on the Contractor's general liability and auto liability policies and provide a waiver of subrogation on the Contractor's workers' compensation policy. In the event of bodily injury or property damage loss caused by Contractor's negligent acts or omissions in connection with Contractor's services performed under this Agreement, the Contractor's Liability insurance shall be primary with respect to any other insurance which may be available to the City, regardless of how the "Other Insurance" provisions may read. In the event of cancellation, substantial changes or nonrenewal, the Contractor and Contractor's insurance carrier shall give the City at least thirty (30) days prior written notice. No work shall be performed until the Contractor has furnished to the City the above referenced certificates of insurance and associated endorsements, in a form suitable to the City. Upon request, the Contractor shall provide the City copies of their insurance policies.

Commercial General Liability:	\$1,000,000 per occurrence
Commercial Auto Liability:	\$1,000,000 combined single limit
Excess (Umbrella) Liability:	\$1,000,000
Workers' Compensation:	Statutory
Employer's Liability:	\$500,000 each accident/total disease/employee disease

- Professional Liability (Errors & Omissions) coverage for Architect of Record and Engineer(s) of Record shall provide coverage not less than \$1 million per claim. (The Owner reserves the right to negotiate different limits and coverage in the final contract.)

In order to be deemed eligible for evaluation, the submitting lead Design-Build firm must create, officially sign, and place in its submittal a signed statement that contains the following declarations
(This document may be part of the appendix):

- *We certify that our Design-Build entity's "Designer(s) of Record" have current North Carolina Architectural and/or Engineering license(s) as appropriate for their portion of the design work.*
- *We certify that our Design-Build entity's "Builder" has a current North Carolina Contractor's unlimited license.*
- *We certify that our firm will have and maintain liability insurance coverage for a total of \$1 million/occurrence & \$2 million/general aggregate for commercial general liability, and not less than \$1 million per claim for commercial business automobile liability.*
- *We certify that we will have coverage for errors and omissions by all Designer(s) of Record of not less than \$1 million per claim.*

3.4. Additional Conditions

3.4.1. The Review Committee will endeavor to shortlist only firms that are fully capable and qualified to perform the current project. Upon completion of the review of RFQ submittals, the Review Committee will rank the three (3) highest ranking firms. The City reserves the right to schedule interviews if necessary for final selection.

3.4.2. Confidentiality of Documents: Upon receipt of a proposal by the Owner, the proposal shall become the property of the Owner without compensation to the offerer. Subject to the provisions of the Freedom of Information Act, the details of the proposal documents will remain confidential until final qualification selection is complete.

3.4.3. Costs to Prepare Responses: The Owner assumes no responsibility or obligation to the offerers and will make no payment for any costs associated with the preparation or submission of proposals.

3.4.4. The Owner reserves the right to check references of proposed personnel on the project team and to request substitutions of personnel if it deems such action in the Owner's best interests. Moreover, the Owner reserves the right to check any reference that it may become aware of in addition to the references provided by the proposer.

3.4.5. Equal Employment Opportunity: During the performance of this Contract, the Design-Builder agrees as follows: The Design-Builder will not discriminate against any employee or applicant for employment because of race, creed, color, sex, age, national origin, place of birth, or physical handicap. Design-Builder must have a history of being non-discriminating and will not discriminate on the basis of race, creed, color, sex, or national origin in any of its employment practices, or procurement practices with respect to the workforce of the firm, or procurement services in connection with this project.

3.4.6. The pre-submittal conference will be located at the WNC Nature Center and will serve as the formal site visit. Site visits for individual firms can occur, but without Owner participation.

3.4.7. It is a requirement that the selected firms must operate a drug-free workplace and that it will remain that way throughout the duration of the project.

3.4.8. City Policy adopted by City Council, Resolution #93-139, prohibits the City from entering into contracts with persons or firms who are delinquent in the payment of ad valorem taxes owed to the City of Asheville.

3.4.9. Bidders are also notified that as of September 2013, all contractors, vendors, subcontractors and/or employers bidding and/or contracting with the City of Asheville must use E-Verify in their new hiring process. Per North Carolina Session Law 2013-418, no city may enter into a contract unless the contractor and the contractor's subcontractors comply with Article 2 of Chapter 64 of the General Statutes.

3.4.10 E-Verify Employer Compliance: Employers and their subcontractors with 25 or more employees as defined in Article 2 of Chapter 64 of the NC General Statutes must comply with E-Verify requirements to contract with governmental units. E-Verify is a Federal program operated by the United States Department of Homeland Security and other federal agencies, or any successor or equivalent program used to verify the work authorization of newly hired employees pursuant to federal law. The requirements of that policy are included in the invitation to Bid and will be included in the contract for the construction of the Project.

[END OF REQUEST FOR QUALIFICATIONS]

ATTACHMENT A: Building Program Information:

RESTROOM BUILDING

DESCRIPTION: The proposed building is to include but not limited to a public restroom building with covered entry, and storage/mechanical room. Toilet facilities shall meet all ADA, NCBC and ANSI requirements to be configured for two unisex toilet facilities. Architectural concrete block wall construction. Post/beam/truss construction of a combination of dimensional wood construction. The storage/mechanical room will include utility chase (access), floor drains, mop sink, and secure storage.

FEATURES:

- Floor plan: Approx. 14' x 17' exterior
- Storage/mechanical room approx. 4'x17'
- Post & beam covered restroom entry area: 6' x 17'
- ADA porcelain china or stainless steel plumbing fixtures
- ADA grab bars, mirror, selection of restroom accessories, signs
- Electrical fixture package (Lighting, wall switches/receptacles, etc.) run 100 amp extension
- Tankless water heater
- Wall mounted heating unit
- Passive ventilation system in each room
- Walls of architectural concrete block
- Vaulted ceiling
- Interior Walls: Enamel paint over CMU (6"x6" wall tile Alternate)
- Epoxy flooring
- Architectural composition shingle roofing (Metal Alternate)
- Reinforced concrete restroom building foundation and slab
- Windows in powder-coated steel frames
- Powder-coated steel doors with ADA pull handle & deadbolt
- Site Lighting (Alternate)
- Floor drains in each room
- Vending machine alcove (w/ power and light)
- Accessible drinking fountain (hi/low)
- Interior/exterior hose bib connections

SITE/UTILITY WORK:

- Water and sewer tie-in locations within 100 feet of building location
- Grading and drainage as required to site the building (no retaining walls required)
- Demolition of some existing paving,
- Fencing (extension or relocation)
- Landscaping (trees, shrubs, groundcover, & mulch)
- Concrete sidewalk (concrete paver Alternate)

PICNIC SHELTER BUILDING

FEATURES:

- Floor plan: Approx. 10' x 12' (dimensional wood)
- post and beam construction (w/ concrete footings in sub-grade with fibar mulch top dressing)
- Architectural composition shingle roofing (Metal Alternate)
- Two (2) picnic tables (1 to meet ADA requirements)